

# UNITED STATES DISTRICT COURT

## Eastern District of California

UNITED STATES OF AMERICA

v.

**BRANDON THOMAS WARD****JUDGMENT IN A CRIMINAL CASE**Case Number: **6:20MJ00006-001**

Defendant's Attorney: Jeffrey Tenenbaum, Retained

**THE DEFENDANT:**

- ☒ pleaded guilty to count TWO of the Complaint.
- ☐ pleaded nolo contendere to count(s)     , which was accepted by the court.
- ☐ was found guilty on count(s)      after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

| Title & Section     | Nature of Offense   | Offense Ended | Count |
|---------------------|---|---------------|-------|
| 36 CFR § 4.23(a)(2) | Operate a motor vehicle with a breath alcohol concentration of 0.08 grams or more of alcohol per 100 milliliters of blood | 10/04/2019    | TWO   |

The defendant is sentenced as provided in pages 2 through      of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)     .
- ☒ Count ONE, THREE, and FOUR are dismissed on the motion of the United States.
- ☐ Indictment is to be dismissed by District Court on motion of the United States.
- ☐ Appeal rights given. ☒ Appeal rights waived.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution or fine, the defendant must notify the court and United States attorney of material changes in economic circumstances.

**8/11/2020**

Date of Imposition of Judgment

/s/ Jeremy D. Peterson

Signature of Judicial Officer

**Jeremy D. Peterson**, United States Magistrate Judge

Name &amp; Title of Judicial Officer

8/19/2020

Date

**PROBATION**

The defendant is hereby sentenced to probation for a term of: 12 months probation unsupervised to be completed by 8/11/2021 .

If this judgment imposes a fine, special assessment, processing fee or restitution, it is a condition of probation that defendant pay in accordance with the Schedule of Payments sheet of this judgment.

While on probation, the defendant shall be subject to and must comply with the following conditions of probation:

**CONDITIONS OF PROBATION**

1. The defendant's probation shall be unsupervised by the probation office.
2. The defendant is ordered to obey all federal, state, and local laws.
3. The defendant shall notify the court and the government officer within seven days of any change in the defendant's address. If represented, the defendant shall provide such notice through counsel.
4. The defendant shall pay a fine of \$1190.00 and a special assessment of \$10.00 for a total financial obligation of \$1200.00 which shall be paid in full by 6/11/2021. Payments shall be made payable to the Clerk, U.S.D.C., and mailed to:

CLERK U.S.D.C.  
2500 Tulare Street, Rm 1501  
Fresno, CA 93721

5. The defendant shall complete the First Time DUI Offender Program through the California Department of Motor Vehicles.
6. The defendant shall personally appear for a probation review hearing on July 13, 2021, at 10:00 a.m., before U.S. Magistrate Judge Peterson. Shortly before this hearing, if the defendant has successfully complied with the terms of probation, he may request that the probation review hearing be vacated and that his term of probation be immediately terminated. If represented, the defendant shall make any such request through counsel.
7. The defendant shall advise the court and the government officer within seven days of being charged, cited, or arrested for any alleged violation of law. If represented, the defendant shall provide such notice through counsel.
8. The defendant shall not operate a motor vehicle with any detectable amount of alcohol in defendant's system.
9. The defendant shall not refuse to or fail to complete a chemical test to determine blood alcohol content, if requested by a Law Enforcement Officer.

**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A. ☒ Lump sum payment of \$ 1,200.00 balance due  
☒ Not later than 6/11/2020, or  
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B. ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C. ☐ Payment in equal \_\_\_\_ (*e.g. weekly, monthly, quarterly*) installments of \$ \_\_\_\_ over a period of \_\_\_\_ (*e.g. months or years*), to commence \_\_\_\_ (*e.g. 30 or 60 days*) after the date of this judgment; or
- D. ☐ Payment in equal \_\_\_\_ (*e.g. weekly, monthly, quarterly*) installments of \$ \_\_\_\_ over a period of \_\_\_\_ (*e.g. months or years*), to commence \_\_\_\_ (*e.g. 30 or 60 days*) after release from imprisonment to a term of supervision; or
- E. ☐ Payment during the term of supervised release/probation will commence within \_\_\_\_ (*e.g. 30 or 60 days*) after release from imprisonment. The court will set the payment plan based on an assessment of the defendants ability to pay at that time; or
- F. ☒ Special instructions regarding the payment of criminal monetary penalties:  
☒ **Payments must be made by Check or Money Order, payable to: Clerk, U.S.D.C. and mailed to:**  
☒ CLERK U.S.D.C.  
2500 Tulare Street, Rm 1501  
Fresno, CA 93721  
Your check or money order must indicate **your name and citation/case number** shown above to ensure your account is credited for payment received.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States: The Preliminary Order of Forfeiture is hereby made final as to this defendant and shall be incorporated into the Judgment.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.